



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michalakakis Averkiou et al.
 Art Unit: 3737
 Serial No.: 08/943,546
 Examiner: Mr. Jaworski
 Filed : October 3, 1997
 Pat. No. : 5,879,303 Issued: March 9, 1999
 For : ULTRASONIC DIAGNOSTIC IMAGING OF RESPONSE
 FREQUENCY DIFFERING FROM TRANSMIT FREQUENCY

Hon. Commissioner of Patents
 and Trademarks
 Washington, D.C. 20231

PETITION TO CORRECT INVENTORSHIP IN PATENT
UNDER 37 CFR 1.324

Dear Sir:

Applicants hereby petition the Commissioner to issue a certificate correcting the inventorship of U.S. Patent No. 5,879,303 which issued on March 9, 1999. The issued patent does not name Jeremy D. Wiggins as a co-inventor. The omission of Mr. Wiggins from the original application papers was an error which arose without any deceptive intention on his part.

In support of this petition the following are enclosed:

- (1) A statement from Mr. Wiggins who is being added as an inventor that the inventorship error occurred without any deceptive intention on his part;
- (2) A statement from the current named inventors agreeing to the change of inventorship;
- (3) A statement from the co-inventors' assignee, ATL Ultrasound, Inc., agreeing to the change of inventorship in the patent, which statement complies with the requirements of 37 CFR §3.73(b); and
- (4) A charge to the assignee's deposit account for the fee set forth in 37 CFR §1.20(b).

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After correction, the above-identified patent should show the following individuals as inventors:

Michalakakis Averkiou of Kirkland, WA
Jeffrey E. Powers of Bainbridge Island, WA
Peter~~a~~ N. Burns of Toronto, Canada
David N. Roundhill of Bothell, WA
Juin-Jet Hwang of Mercer Island, WA
Jeremy D. Wiggins of Mill Creek, WA

Respectfully submitted,

MICHALAKIS AVERKIOU ET AL.

By:

W. Brinton Yorks, Jr.
W. Brinton Yorks, Jr.
Reg. No. 28,923

ATL Ultrasound, Inc.
22100 Bothell Everett Highway
P.O. Box 3003
Bothell, WA 98041-3003
(425) 487-7152
December 7, 1999



ATL-150

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michalakakis Averkiou et al.

Art Unit: 3737

Serial No.: 08/943,546

Examiner: Mr. Jaworski

Filed : October 3, 1997

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Washington, D.C. 20231

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STATEMENT OF CURRENT NAMED INVENTORS

PURSUANT TO 37 CFR 1.324(b) (2)

Dear Sir:

We, the current named inventors in the above-identified patent, agree to the change of inventorship by which Jeremy D. Wiggins is added as a co-inventor to the above-identified patent.


Michalakakis Averkiou

Date: 1-28-00


Jeffrey S. Powese

Date: 1-26-00


x Peter N. Burns

Date: x 15 Dec 99


David N. Roundhill

Date: 19 Jan, 2000


Juin-Jet Hwang

Date: Jan. 11, 2000



ATL-150

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michalakakis Averkiou et al.

Art Unit: 3737

Serial No.: 08/943,546

Examiner: Mr. Jaworski

Filed : October 3, 1997

Pat. No. : 5,879,303

Issued: March 9, 1999

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FREQUENCY DIFFERING FROM TRANSMIT FREQUENCY

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

STATEMENT OF JEREMY D. WIGGINS

PURSUANT TO 37 CFR 1.324(b)(1)

Dear Sir:

I, Jeremy D. Wiggins, hereby declare that the inventorship error of failing to include Jeremy D. Wiggins as an inventor of the patent identified above occurred without any deceptive intention on my part.



Jeremy D. Wiggins

Date: 12/17/99



ATL-150

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michalakakis Averkiou et al.
Art Unit: 3737
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STATEMENT OF ASSIGNEE

PURSUANT TO 37 CFR 1.324(b)(3)

Dear Sir:

I, Pamela Dunlap, Sr. Vice President and Chief Financial Officer of ATL Ultrasound, Inc., who is authorized to act on behalf of ATL Ultrasound, Inc., the assignee of all of the right, title and interest in U.S. Patent 5,879,303 by an assignment recorded on 11/10/97 and an assignment executed by Jeremy D. Wiggins which is submitted for recording herewith, a copy of which is attached to this Statement, hereby states that the assignee ATL Ultrasound, Inc. agrees to the change of inventorship by which Jeremy D. Wiggins is added as a co-inventor to the above-identified patent.

Pursuant to the requirements of 37 CFR 3.73(b) the assignee's ownership of the above-identified patent is established by an assignment from inventors Averkiou, Powers, Burns, Roundhill and Hwang to ATL Ultrasound, Inc. recorded on 11/10/1997 at reel 8787, frame 0806 (5 pages) and by an assignment from inventor Jeremy D. Wiggins being submitted for recording, a copy of which is attached hereto.


Pamela Dunlap

Date: 2/7/00

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PTO/SB/69 (12-97)
Approved for use through 9/30/00. OMB 0651-0031
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE



PETITION ROUTING SLIP

Find the petition from the list and check the box in the heading above the petition)

Complete If Known	
Application Number	08/943,546
Filing Date	October 3, 1997
First Named Inventor	Averkiou et al.
Group At Unit	3737
Examiner Name	F. Jaworski
Attorney Docket Number	ATL 150

☐ PETITIONS DECIDED BY PETITIONS OFFICE

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|---|---|
| <p>301 Relating to Public Use Proceedings (37 CFR 1.292)</p> <p>302 To make application special - prospective maintenance (37 CFR 1.102, MPEP 708.02)</p> <p>303 To make special - infringement (37 CFR 1.102, MPEP 708.02)</p> <p>304 Relating to the Filing/issuance of Divisional Reissue (37 CFR 1.177)</p> <p>305 To waive or suspend rules (37 CFR 1.183)</p> <p>306 To expunge a paper from patent application or patent file (37 CFR 1.59)</p> <p>307 Withdrawal of Attorney (37 CFR 1.36)</p> <p>308 For access to a specification except re proceedings before Board (37 CFR 1.14, MPEP 103.104)</p> <p>309 Relating to Small Entity (37 CFR 1.28)</p> <p>310 Relating to reexamination (37 CFR 1.181-1.183)</p> <p>311 For correction of inventorship for applications - no filing date (37 CFR 1.48)</p> <p>312 For correction of inventorship re PCT applications (37 CFR 1.48)</p> <p>313 For filing application without one or more inventors (37 CFR 1.47)</p> <p>314 For filing PCT application without one or more inventors (37 CFR 1.47)</p> <p>315 For extension of time without fee in cases in Application Division (37 CFR 1.136(b))</p> <p>316 For matters before AIA for Patents - not specified</p> <p>408 Relating to a filing date under 35 USC 111a, 37 CFR 1.53</p> <p>411 Filing date for application filed by Express Mail (37 CFR 1.10)</p> <p>412 Filing date for lost application</p> <p>501 To revive an abandoned application - unavoidable delay (37 CFR 1.137(a))</p> <p>502 To revive an abandoned application - unintentional abandonment (37 CFR 1.137(b))</p> | <p>503 To waive/suspend rules (37 CFR 1.183)</p> <p>504 To invoke supervisory authority - re patent examining operations (37 CFR 1.181)</p> <p>505 To withdraw from issue after payment of issue fee (37 CFR 1.313(b)(1-4))</p> <p>506 To withdraw from issue after payment of issue fee (37 CFR 1.313(b)) or abandon application in favor of continuing application</p> <p>507 To enter priority papers after issue fee payment (37 CFR 1.55(a))</p> <p>508 To defer issuance of patent (37 CFR 1.314)</p> <p>515 To invoke supervisory authority - re Office of Admin. (37 CFR 1.181)</p> <p>516 To waive/suspend rules re patent matters in Office of Admin. (37 CFR 1.183)</p> <p>519 To decide matters before Deputy AIC for Patents under 37 CFR 1.182</p> <p>521 To review refusal to accept & record maintenance fee - application filed on or after 8/27/82 (37 CFR 1.377)</p> <p>522 To issue patent in the name of the Assignee (37 CFR 1.334(c))</p> <p>523 To withdraw a holding of abandonment (37 CFR 1.181)</p> <p>526 To order a Commissioner-initiated Reexamination proceeding (37 CFR 1.520)</p> <p>527 To convert Provisional Application</p> <p>528 To reinstate abandoned Provisional Application</p> <p>530 PCT petition-unavoidable</p> <p>531 PCT petition-unintentional</p> <p>532 To accept unconditionally delayed payment of maintenance fee (37 CFR 1.378 (b))</p> <p>533 To accept unconditionally delayed payment of maintenance fee (37 CFR 1.378 (c))</p> <p>534 Petitions related to reexamination proceedings</p> <p>539 For matters before the Deputy AIC for Patents - not specified</p> |
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☒ PETITIONS DECIDED BY THE GROUP DIRECTOR

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| <p>601 To make application special on ground of age or health (37 CFR 1.102, MPEP 708.02)</p> <p>602 To make special - continuity of senior application (37 CFR 1.102, MPEP 708.02)</p> <p>603 To make special - environment quality program (37 CFR 1.102, MPEP 708.02)</p> <p>604 To make special - accelerated examination (37 CFR 1.102, MPEP 708.02)</p> <p>605 To make special - Energy Program (37 CFR 1.102, MPEP 708.02)</p> <p>606 To make special - Recombinant DNA (37 CFR 1.102, MPEP 708.02)</p> <p>607 To make special for reasons not provided for in codes 601-606 (37 CFR 1.102, MPEP 708.02)</p> <p>608 To reopen prosecution after Board decision (37 CFR 1.198)</p> <p>609 For review of final restriction requirement (37 CFR 1.144)</p> <p>610 Invoking Authority of Commissioner under 37 CFR 1.181 not specified in codes</p> <p>611 Relating to the prematureness of final rejection (37 CFR 1.181, MPEP 706.07(c))</p> <p>612 Relating to the refusal to enter an amendment (37 CFR 1.181 & 1.127, MPEP 714.19)</p> <p>613 To withdraw a holding of abandonment (37 CFR 1.137, MPEP 711.03)</p> <p>614 Relating to a requirement to cancel new matter from application (37 CFR 1.181, MPEP 608.04(c))</p> <p>615 Relating to formal sufficiency/propriety of affidavits (37 CFR 1.131, 1.132, 1.508, MPEP 715.07)</p> <p>616 To institute an interference (37 CFR 1.506)</p> <p>617 Relating to refusal to enter an amendment under 37 CFR 1.312</p> | <p>618 For concurrent Ex parte and Inter parte proceedings (37 CFR 1.212)</p> <p>619 For return of original oath of patent application (MPEP 604.0(a))</p> <p>621 For extension of time (37 CFR 1.136(b))</p> <p>627 For interview after Notice of Allowance mailed (MPEP 713.10)</p> <p>628 Concerning appeal application before transfer of jurisdiction to Board (MPEP 1.208)</p> <p>629 For second or subsequent suspension of action (37 CFR 1.103, MPEP 709.1)</p> <p>629 To reinstate Appeals dismissed in Group</p> <p>628 From denial of reexamination request (37 CFR 515(c))</p> <p>627 To enter an amendment after payment of issue fee (37 CFR 1.312(b))</p> <p>628 From refusal to issue a Certificate of Correction (37 CFR 1.181, MPEP 1480-1485)</p> <p>630 Withdrawal of attorney from application pending in group (37 CFR 1.36)</p> <p>630 For extension of time in a reexamination (37 CFR 1.555(c))</p> <p>631 To merge multiple reexamination proceedings (37 CFR 1.555(c), MPEP 2283)</p> <p>632 To effect a second conversion of inventorship (37 CFR 1.48, MPEP 201.03)</p> <p>633 Superconductivity</p> <p>634 To correct inventorship in a patent not in interference (37 CFR 1.324, MPEP 1481)</p> <p>635 To change inventorship in an application (37 CFR 1.48)</p> <p>636 To change inventorship in a patent (37 CFR 1.48)</p> <p>637 To withdraw from issue after payment of issue fee (37 CFR 1.313(a))</p> <p>699 For matters before Group Director - not specified</p> |
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☐ PETITIONS DECIDED BY BOARD OF PATENT APPEALS AND INTERFERENCES

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| <p>701 To exercise supervisory authority re action by examiner/examiner-in-chief (37 CFR 1.644)</p> <p>702 To accept partially filed copies of interference settlement agreements (35 USC 1.35(c), 37 CFR 1.666(c))</p> <p>703 For withdrawal of application in proceeding under 37 CFR 1.201 - 1.298 (37 CFR 1.38)</p> <p>704 For access to a settlement agreement under 35 USC 135(c) (37 CFR 1.666(b))</p> <p>705 For access to an application in proceedings before the Board (37 CFR 1.14(e))</p> <p>706 For a refusal to issue a Certificate of Correction (37 CFR 1.322, 1.323)</p> <p>707 To correct errors in inventorship (37 CFR 1.324)</p> <p>708 For extension of time to file amendment under 37 CFR 1.196(b) (37 CFR 1.136)</p> <p>710 To make an application before the Board special (37 CFR 1.102)</p> <p>710 For extension of time to file supplemental Reply Brief (37 CFR 1.136)</p> | <p>711 To assign particular members to hearing or to request augmented panel (35 USC 7)</p> <p>712 To decide miscellaneous questions in proceedings under 37 CFR 1.601-1.688</p> <p>713 To accept priority papers in applications in interference (37 CFR 1.644)</p> <p>714 To reinstate an Appeal</p> <p>799 For matters before Chairman of Board - not specified</p> <p>800 To make an application before the Board special (37 CFR 1.102)</p> <p>802 To reinstate an Appeal</p> <p>803 To extend time/suspend proceedings (37 CFR 1.196, 1.197, 1.304)</p> <p>807 For extension of time to file supplemental Reply Brief (37 CFR 1.136)</p> <p>805 To accept late request for an Oral Hearing (37 CFR 1.136)</p> <p>899 For matters before the Clerk of the Board - not specified</p> |
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☐ PETITIONS DECIDED BY SPECIAL LAWS (SECURITY AND GOVERNMENT INTEREST MATTERS)

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| <p>901 Under 42 USC 2182</p> <p>902 Under 42 USC 2457</p> <p>903 Under 35 USC 184</p> | <p>904 Under 35 USC 267</p> <p>905 To consider/renew security or Government interest matters - not specified</p> |
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☐ PETITIONS DECIDED BY THE SOLICITOR

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| <p>951 Petitions for extension of time in court matters 35 USC 142, 145, 146</p> <p>952 Petitions relating to ex parte questions in cases before the Court of Appeals for the Federal Circuit</p> | <p>953 Requests filed under the Freedom of Information Act</p> <p>959 Not specified</p> |
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.